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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re application of:  
Galen C. Hunt

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Application No.: 09/197,080 **REC'D 5 1999**  
Filed: November 20, 1998 **Group 2700**  
For: APPLICATION PROFILING USING  
STRUCTURAL METADATA DESCRIPTION FOR  
NETWORK-INDEPENDENT AUTOMATIC  
PARTITIONING AND DISTRIBUTION  
Date: February 16, 1999

Art Unit: 2763

## CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service on February 16, 1999, as First Class Mail in an envelope addressed to: ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON D.C. 20231.

Stephen A. Wight  
Attorney for Applicant

## TRANSMITTAL LETTER

TO THE ASSISTANT COMMISSIONER FOR PATENTS  
Washington, DC 20231

Enclosed for filing in the above-referenced application is the following:

- Information Disclosure Statement Pursuant to 37 C.F.R. § 1.97, Form PTO-1449, and copies of references cited.
- The Commissioner is hereby authorized to charge any additional fees which may be required, or credit over-payment, to Account No. 02-4550. A copy of this sheet is enclosed.
- Please return the enclosed postcard to confirm that the items listed above have been received.

Respectfully submitted,

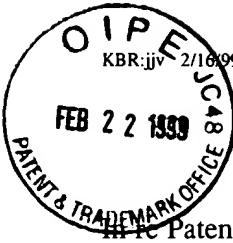
KLARQUIST SPARKMAN CAMPBELL  
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By

Stephen A. Wight  
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cc: MS Patent Group Docketing (w/ enclosures)  
Megan W. Thomas (w/o enclosures)



KBR:jjv 2/16/99 3382-51187 MS116626.2

PATENT  
Atty. Ref. No. 3382-51187

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*Stephen A. Wight*

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Attorney for Applicant

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FEB 25 1999

Group 2700

INFORMATION DISCLOSURE STATEMENT

Applicant submits herewith information of which he is aware, and which he believes may be material to the examination of the application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. §1.56. The information is listed on the attached Form PTO-1449 and copies are enclosed.

Applicant call the Examiner's attention to the following co-pending U.S. patent applications, which are commonly assigned as the above-referenced patent application:

- 1) Application No. 09/197,009  
For: HEAVYWEIGHT AND LIGHTWEIGHT INSTRUMENTATION  
Applicant: Galen C. Hunt
- 2) Application No. 09/197,246  
For: REVERSIBLE LOAD-TIME DYNAMIC LINKING  
Applicant: Galen C. Hunt
- 3) Application No. 09/197,242  
For: DYNAMIC CLASSIFICATION OF SECTIONS OF SOFTWARE  
Applicant: Galen C. Hunt
- 4) Application No. 09/197,211  
For: SUMMARIZED APPLICATION PROFILING AND QUICK NETWORK PROFILING  
Applicant: Galen C. Hunt

- 5) Application No. 09/197,226  
For AUTOMATIC DETECTION OF PER-UNIT LOCATION CONSTRAINTS  
Applicant: Galen C. Hunt
- 6) Application No. 09/196,836  
For INSTRUMENTATION FOR RELATING INTERFACES AND UNITS,  
WRAPPING INTERFACES, HANDLING UNDOCUMENTED INTERFACES,  
AND DETECTING PAIR-WISE LOCATION CONSTRAINTS  
Applicant: Galen C. Hunt
- 7) Application No. 09/196,974  
For INTERCEPTION OF UNIT CREATION REQUESTS BY AN AUTOMATIC  
DISTRIBUTED PARTITIONING SYSTEM  
Applicant: Galen C. Hunt

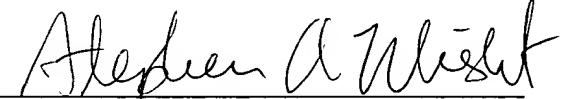
In view of the secrecy provisions of 37 C.F.R. §1.14, Applicants have not provided a copy of the above-referenced co-pending U.S. patent applications because submitting a copy of these patent applications could be viewed as a waiver of the confidentiality that the Applicant is guaranteed under 35 U.S.C. § 122 and 37 C.F.R. § 1.14. Applicants have not listed these co-pending applications on the accompanying 1449 form and request that they not be listed on the face of the patent, in the event that it issues, to preserve their secrecy.

If a fee is required under 37 C.F.R. § 1.17(p), the Commissioner is hereby authorized to charge Deposit Account No. 02-4550.

Respectfully submitted,

KLARQUIST SPARKMAN CAMPBELL  
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<p style="text-align: center;"><b>INFORMATION DISCLOSURE STATEMENT</b> <b>BY APPLICANT</b></p> <p style="text-align: center;">O P P E FEB 22 1999 U.S. PATENT &amp; TRADEMARK OFFICE</p>			Docket: 3382-51187		App: 09/197,080		
			Applicant: Galen C. Hunt				
			Filed: 11.20.98		Group: 2763		
<b>U.S. PATENT DOCUMENTS</b>							
Init. *	Number	Date	Name	Class	Sub	Filed	
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	5,752,038	05.12.98	Blake et al.	Group 2700			
	5,790,858	08.04.98	Vogel				
<b>FOREIGN PATENT DOCUMENTS</b>							
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<b>OTHER DOCUMENTS</b>							
		Stephen J. Hartley, "Compile-Time Program Restructuring in Multiprogrammed Virtual Memory Systems," <i>IEEE Transactions on Software Engineering</i> , Vol. 14, No. 11, November 1988					
		R.R. Heisch, "Trace-directed program restructuring for AIX executables," <i>IBM J. Res. Develop.</i> , Vol. 38, No. 5, September 1994					
		Karl Pettis and Robert C. Hansen, "Profile Guided Code Positioning," <i>Proceedings of the ACM SIGPLAN'90, Conference on Programming Language Design and Implementation</i> , June 20-22, 1990					
		Chang et al., "Using Profile Information to Assist Classic Code Optimizations," <i>Software-Practice and Experience</i> , Vol. 21(12), 1301-1321, December 1991					
		Speer et al., "Improving UNIX Kernel Performance using Profile Based Optimization," 1994 Winter USENIX, January 17-21, 1994, San Francisco, CA					
		Thomas Ball and James R. Larus, "Optimally Profiling and Tracing Programs," <i>University of Wisconsin Computer Sciences Technical Report 1031</i> , September 6, 1991					

<b>INFORMATION DISCLOSURE STATEMENT</b> <b>BY APPLICANT</b>			Docket: 3382-51187	App: 09/197,080
			Applicant: Galen C. Hunt	
			Filed: 11.20.98	Group: 2763
H.C.			James R. Lazarus and Thomas Ball, "Rewriting Executable Files to Measure Program Behavior," <i>University of Wisconsin Computer Sciences Technical Report 1083</i> , March 25, 1992	
			Vivek Sarkar, "Determining Average Program Execution Times and their Variance," ACM 0-89791-306/X/89/0006/0298, 1989	
			Robert Endre Tarjan, "Data Structures and Network Algorithms," CBMS-NSF Regional Conference Series in Applied Mathematics, Chapter 6, 71-83, 1983	
EXAMINER: <i>Malatesa</i>			DATE	10/1/03
<small>*Examiner: Initial if considered, whether or not in conformance with MPEP 60; draw line through cite if not in conformance and not considered. Send copy.</small>				

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